

10 circular array, each traction tooth having an axis ALT and outer
traction surface which are angled away from said axis AL, said
outer traction surface having an outward angulation relative to
said axis AL to enhance lateral stability and traction through the
plane of a golf swing.

41¹⁰ (Amended) A golf shoe cleat comprising a main body member
having an inner face and an outer face, a shoe-attaching member
projecting perpendicularly outwardly from said inner face and said
shoe-attaching member having an axis AL and adapted to secure said
5 cleat in a receptacle in said golf shoe upon rotation of said shoe
mounting member in said receptacle,

a plurality of low-profile traction teeth projecting around
the perimeter of the outer face of said main body member, each
traction tooth having an outer traction surface facing away from
10 said axis AL, said outer surface having an outward angulation
relative to said axis AL to enhance lateral stability and traction
through the plane of a golf swing.

R E M A R K S

Claims 32, 35, 41 and 42 have been amended to avoid the 35
U.S.C. §112 objections. In Claim 41, the word "and" in line 3 from
the bottom of the claim has been deleted so that the phrase reads:
"said outer traction surface having an outward angulation relative

to said axis AL to enhance lateral stability and traction through the plane of a golf swing."

Claims 31 - 35 and 38-43 are pending in the application. Claim 28 has been allowed, claim 40 has been objected to as dependent from the base claim but indicated as containing allowable subject matter, and claim 32 has been indicated as being allowable if amended to avoid the 35 U.S.C. §112, second objection.

Attached hereto is a Rule 1.132 declaration of Joseph E. Wolfe, traversing the Examiner's rejection of claims 31³⁸, 35, 39 and 41-43.

This will acknowledge of the Examiner courtesy granted to applicant, Francis C. Carroll, Matthew Spinelli and applicant's undersigned attorney, Jim Zegeer, on August 15, 2002. At the interview, applicant demonstrated the analysis of the right-handed backswing through the plane of the golf swing explaining what occurs at the cleat teeth at each phase of the backswing and through the swing and the follow-through. Further, Mr. Spinelli demonstrated a collection of alternative golf cleat designs: prior to Green Keeper's introduction of two cleat designs 1997 and 2000 and the alternative golf cleat designs after the introduction of applicant's cleats. A photocopy of the presentation is attached hereto.

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Declaration Under Rule 1.132

In his declaration, Mr. Wolfe demonstrates that the German Matulla Patent No. 3811513 is not a low profile golf cleat and is not shaped for torsional resistance and are designed for "different traction requirements." He shows that a combination of Figure 2 with Figure 1a illustrates and suggests that the outward angulation the Examiner sees as impossible for the Matulla design. Moreover, he points out that Matulla does not teach outward angulation or low profile and does not teach a design for maximum torsional resistance.

In like manner, Mr. Wolfe takes issue with the Examiner's contention regarding Bouyer French Patent 2679421 showing that the French Bouyer surfaces 6, 6A and 6B converge inwardly to the tip of the barbs or teeth. The rejection of claims 33, 39, 41 and 42 as being obvious in view of Softspikes (A unique Holiday Offer Article) or Bouyer in view of either Howard (US 2,095,095) or Matulla German patent is not valid. Howard's spikes are conventional high-profile steel spikes which are mounted on the sole edge, but there is no teaching or suggestion of a plurality of outwardly angled teeth on a cleat are not of low-profile design with increased traction and maximum torsional resistance.

The Softspikes article, the French Bouyer patent, the Howard and the German Matulla patents do not contain any suggestion of a combination proposed by the Examiner. Softspikes' traction protuberance point straight down, and the surfaces of Bouyer's

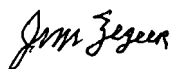
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barbs converge inwardly on the tip of the barb. The rejection of claims 41-43 as being unpatentable over Dassler (US 4,375,728) in view of Jordan (US 4,014,114) is respectfully traversed. Dassler does not teach or show low-profile, removable or replaceable cleats; and while Jordan shows removable cleats, he does not show low-profile angulated teeth. Neither Dassler nor Jordan are low-profile outwardly angled teeth designed to provide maximum torsional resistance and traction for a golf cleat through the plane of a golf swing. The goals of Jordan and Dassler are obviously quite different from that of a golf cleat.

In view of the above and the accompanying Rule 1.132 declaration, applicant respectfully submits that the claims are patentable over the art of record, and further and favorable consideration is respectfully requested.

A provisional Notice of Appeal is attached hereto.

Respectfully submitted,



Jim Zegeer, Reg. No. 18,957
Attorney for Applicant

Attachments:

Declaration Under 37 C.F.R. §1.132
Version with Markings to Show Changes Made
Photocopy of presentation

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In the event this paper is deemed not timely filed, the applicant hereby petitions for an appropriate extension of time. The fee for this extension may be charged to Deposit Account No. 26-0090 along with any other additional fees which may be required with respect to this paper.

Date: October 2, 2002

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VERSION WITH MARKINGS
TO SHOW CHANGES MADE

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Please amend claims 32, 35, 41 and 42 as follows:

32. (Twice Amended) A golf shoe cleat comprising a main body member having a dome-shaped outer face and a planar inner face, a shoe attaching member projecting outwardly from said planar inner face having an axis AL perpendicular to said planar inner face,

a circular array of shaped traction teeth projecting around the perimeter of said main body member, each traction tooth having an axis ALT, said axis ALT having an outward angulation relative to said axis AL to provide lateral stability and traction through the plane of a golf swing, said outward angulation being about $37-1/2^{\circ}$.

35. (Amended) 35. A golf shoe cleat comprising a main body member having a dome-shaped outer face and a planar inner face, a shoe attaching member projecting outwardly from said inner face having an axis AL perpendicular to said planar inner face and adapted to secure said cleat in a receptacle in said golf shoe upon rotation of said shoe mounting member in said receptacle,

an annular anti-debris ring formed on the edge of said planar inner face,

a plurality of shaped traction teeth projecting in a circular array around the perimeter of said main body member, each traction tooth being spaced from said axis AL and having an axis ALT and an

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TO SHOW CHANGES MADE

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outer traction surface facing away from said axis AL, each said
outer axis ALT and traction surface having an outward angulation
relative to said axis AL to provide lateral stability and traction
15 through the plane of a golf swing.

41. (Twice Amended) A golf shoe cleat comprising a main
body member having an inner face and an outer face, a shoe-
attaching member projecting perpendicularly outwardly from said
inner face and said shoe-attaching member having an axis AL and
5 adapted to secure said cleat in a receptacle in said golf shoe upon
rotation of said shoe mounting member in said receptacle,

a plurality of low-profile traction teeth projecting around
the perimeter of the outer face of said main body member in a
circular array, each traction tooth having an axis ALT and outer
10 traction surface which are angled away from said axis AL, said
outer traction surface [and] having an outward angulation relative
to said axis AL to enhance lateral stability and traction through
the plane of a golf swing.

42. (Amended) A golf shoe cleat comprising a main body member
having an inner face and an outer face, a shoe-attaching member
projecting perpendicularly outwardly from said inner face and said
shoe-attaching member having an axis AL and adapted to secure said

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5 cleat in a receptacle in said golf shoe upon rotation of said shoe
mounting member in said receptacle,

10 a plurality of low-profile traction teeth projecting around
the perimeter of the outer face of said main body member, each
traction tooth having an outer traction surface facing away from
said axis AL, said outer surface having an outward angulation
relative to said axis AL to enhance lateral stability and traction
through the plane of a golf swing.

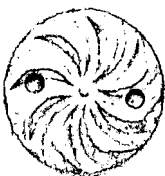
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Alternative Golf Cleat Designs Prior To Green Keepers Introduction

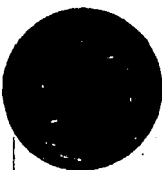
Introduction 1997



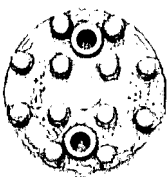
Alternative Golf Cleat Designs After The Introduction Of Green Keepers



SS Swirl '93



Champ TL '96



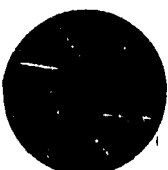
SS XT '95



SS XP '96



GK '97



FJ Turf Lt Prior to '97



GK DB '00



Trispi Reactive '98



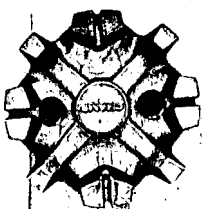
SS BW '99



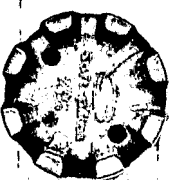
Champ Edge '99



Champ Spider '99



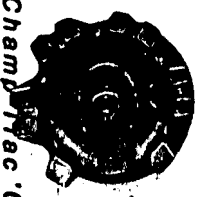
Champ Scpn '00



SS Shadow '00



Bite '01



Champ Hec '02

